

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

\*\*\* FILED \*\*\*  
10/30/2001

10/22/2001

CLERK OF THE COURT  
FORM R109B

HON. JOHN FOREMAN

K. Zoratti  
Deputy

CR 2001-007514

FILED: \_\_\_\_\_

STATE OF ARIZONA

JOHN AGRA

v.

JOSE DEJESUS ARELLANO  
DOB: 01-01-79

CHRISTOPHER B DUPONT

APO-SENTENCINGS-CCC  
APPEALS-CCC  
DISPOSITION CLERK-CCC  
OCI-CCC  
USINS VIA CERTIFICATION DESK-  
CCC  
VICTIM WITNESS DIV-CA-CCC

SUSPENSION OF SENTENCE - PROBATION GRANTED

8:50 a.m. State is represented by Sarah Corcoran. Defendant is present, represented by above-named counsel and is assisted by Jennifer Hammond of the Office of the Court Interpreter.

Court Reporter, Melody O'Donnell, is present.

The Defendant is advised of the charge, the determination of guilt and is given the opportunity to speak.

Pursuant to A.R.S. Section 13-607,

THE COURT FINDS AS FOLLOWS:

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WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived his/her right to a trial with or without a jury, his/her right to confront and cross examine witnesses, his/her right to testify or remain silent and his/her right to present evidence and call his/her own witnesses after having been advised of these rights. The determination of guilt was based upon a plea of GUILTY.

Having found no legal cause to delay rendition of judgment and pronouncement of sentence, the Court enters the following judgment and sentence:

IT IS THE JUDGMENT of the Court that the Defendant is guilty of the crimes of:

OFFENSE: Amended Count 2: Possession of Drug Paraphernalia, a class 6 undesignated, nondangerous and nonrepetitive offense in violation of A.R.S. Sections 13-3401, 3408, 3415, 3418, 701, 702, 702.01, 707, 801 and 802 committed on May 14, 2001.

Upon consideration of the offense, the facts, law and circumstances involved in this case, the Court finds that the Defendant is eligible for probation. The specific reasons for the granting of probation are stated by the Court on the record.

As punishment for this crime(s),

IT IS ORDERED suspending imposition of sentence and placing the Defendant on probation as to Count(s) 2 for a period of three (3) years commencing 10-22-01 under the supervision of the Adult Probation Department of this Court, in accordance with the formal Judgment and Order suspending sentence and Order imposing terms of probation signed by the Court.

As a condition of probation,

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IT IS ORDERED that the Defendant pay a monthly probation service fee to the Clerk of the Superior Court of Maricopa County at a rate of \$40.00 commencing on 11-1-01 and due on the same day of each month thereafter during the term of probation.

FINE: IT IS ORDERED that the defendant shall pay a fine to the Clerk of Superior Court of Maricopa County in the amount of \$1,416.00 which equals \$800.00 plus a surcharge of 77%.

Payment is to be made in regular monthly payments of \$35.00 commencing 11-1-01 and on the same day of each month thereafter until paid in full.

IT IS ORDERED that the Defendant pay an assessment in the amount of \$20.00 to the Clerk of the Superior Court of Maricopa County as follows:

Pursuant to A.R.S. Section 12-116, Defendant shall pay a fee of \$20.00 to the Clerk of the Superior Court of Maricopa County. Should Defendant pay all penalties, fines and/or sanctions in full this date, said fee is not applicable.

Special Terms: Illegal Alien terms.

IT IS ORDERED granting the Motion to Dismiss Count 1.

The written terms and conditions of probation are handed to the Defendant for explanation, acceptance and signature. The Defendant agrees to the stated waiver of extradition. The Defendant is advised concerning the consequences of failure to abide the conditions of probation.

The Defendant is advised concerning rights of review after conviction and written notice of those rights is provided.

IT IS FURTHER ORDERED that the Defendant be released from custody as to this case only.

ISSUED: Order of Release.

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FILED: Conditions of Probation and Notice of Rights of Review after Conviction.

IT IS ORDERED directing the Clerk of the Superior Court to transmit a certified copy of this minute order of conviction and sentencing, including the entry of judgment of guilt, as to all charges and sentence(s) imposed, together with a copy of the original charging document, to wit: the complaint, information and/or indictment relating to the offense(s) of conviction, to the regional office of the United States Immigration and Naturalization Service.

IT IS FURTHER ORDERED that the Clerk of the Superior Court shall transmit said documents to the United States Immigration and Naturalization Service within thirty (30) days of sentencing. The cost of transmittal shall be borne by Maricopa County.

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Let the record reflect that the Defendant's thumbprint is permanently affixed to this sentencing order in open court.

8:55 a.m. Matter concludes.

/s/ HON. JOHN FOREMAN  
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)